

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

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CRIMINAL DOCKET NO. 08-314

v.

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SECTION: "L"

**THY VU NGUYEN
a/k/a "Furby"**

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FACTUAL BASIS

The above-named defendant **THY VU NGUYEN, a/k/a "Furby"**, has agreed to plead guilty as charged to Count One of the Indictment now pending against him. Should this matter have proceeded to trial, the United States of America would have proven beyond a reasonable doubt, through the introduction of relevant, competent, and admissible testimonial, physical and demonstrative evidence, the following facts to support the allegation against the defendant, **THY VU NGUYEN**:

Unless stated otherwise, all of the facts set forth herein occurred within the Eastern District of Louisiana.

In December 2008, Drug Enforcement Agents learned from a source of information that **NGUYEN** was a supplier of methylenedioxymethamphetamine (MDMA, also known as "Ecstasy") and that **NGUYEN** was scheduled to deliver 3000 MDMA tablets and one pound of

marijuana to the source that same day. Agents registered the source as a confidential informant and had him place a consensual recorded phone call to **NGUYEN** to confirm the deal.

Prior to making the consensual call, Agents established surveillance on **NGUYEN'S** place of employment, a body shop in Marrero, LA. Soon after the call was made, agents observed **NGUYEN** depart the body shop with a black backpack. Agents followed **NGUYEN** to the area where he was anticipating meeting with the dealer and initiated a probable cause traffic stop. Agents identified themselves and asked **NGUYEN** if he knew why they stopped him. **NGUYEN** admitted that he did. Agents asked him where the drugs were and **NGUYEN** directed them to the backpack in the back seat of the car. Inside the backpack, agents found four large bags of MDMA tablets, weighing approximately 1195 grams and one large bag of marijuana, weighing approximately 513 grams. After finding the drugs, agents placed **NGUYEN** under arrest and read him his Miranda rights. The tablets recovered from **NGUYEN** tested positive for MDMA and had a net weight of 1185 grams.

ANDRE' JONES, La. Bar No. 23502
Assistant United States Attorney

THY VU NGUYEN
Defendant

SAMUEL J. SCILLITANI
Attorney for Defendant